

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JAMES O. WRIGHT JR.,

Plaintiff,

V.

E.M. HENDRICKSEN, et al,

## Defendants.

Case No. 3:17-cv-05961-RBL-TLF

**ORDER GRANTING IN PART AND  
DENYING IN PART DEFENDANTS'  
MOTION TO DISMISS**

The Court, having reviewed the Report and Recommendation of Judge Theresa L. Fricke,

United States Magistrate Judge, objections to the report and recommendation, if any, and the

remaining record, does hereby find and ORDER:

- (1) the Court adopts the Report and Recommendation;
  - (2) defendants' motion to dismiss (Dkt. 12) is GRANTED as to defendants Jason E. Barney and Ronnie Roberts, and as to plaintiff's excessive use of force, false arrest, and unlawful imprisonment claims; and
  - (3) defendants' motion to dismiss (Dkt. 12) is DENIED as to plaintiff's malicious prosecution claims.

Dated this 29<sup>th</sup> day of June, 2018.

Ronald B. Lightner

Ronald B. Leighton  
United States District Judge